

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 10TH DAY OF SEPTEMBER 2015/19TH BHADRA, 1937

Bail Appl..No. 5407 of 2015 ()

SC 116/2015 PENDING BEFORE SESSIONS COURT, KALPETTA

PETITIONER/2ND ACCUSED :

**MUHAMMED MUSTAFA, AGED 33 YEARS,
S/O.SOOPY, AAKOOL HOUSE, PADINHARATHARA P.O.,
MANANTHAVADY TALUK, WAYANAD DISTRICT.**

BY ADV. SRI.A.C.DEVY

RESPONDENT/COMPLAINANT :

**THE STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR MR. C. RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 10-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A No.5407 of 2015

Dated this the 10th day of September, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the second accused in crime No.11/2007 of Padinharathara Police Station registered for offences punishable under Sections 449, 120B, 302, 307 and 397 r/w 34 I.P.C.

3. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

4. The matter is now pending in Sessions Case No.116/2015 of Sessions Court, Kalpetta, Wayanad. The accused was originally enlarged on bail. Later, he absconded.

5. Learned Public Prosecutor opposed the bail application contending that trial in respect of first accused is over and he is convicted in that matter. Considering the nature of allegations and the previous antecedent of the petitioner (second accused), I am not inclined to grant bail to the

petitioner. Learned Sessions Judge shall expedite the trial of the case and try to finish it within a period of six months from today.

Bail application is dismissed.

amk

Sd/-
A.HARIPRASAD,
JUDGE.

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PA to Judge